

City Council Introduction: **Monday**, June 11, 2001  
Public Hearing: **Monday**, June 18, 2001, at **1:30 p.m.**

Bill No. 01-99

## **FACTSHEET**

**TITLE:** **ANNEXATION NO. 00007**, requested by Kawasaki Motors Manufacturing Corp., to annex approximately 227.19 acres of land generally located at approximately N.W. 27<sup>th</sup> Street and Highway 34 (6600 N.W. 27<sup>th</sup> Street).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 05/30/01  
Administrative Action: 05/30/01

**STAFF RECOMMENDATION:** Approval, subject to an Annexation Agreement.

**RECOMMENDATION:** Approval, subject to Annexation Agreement (8-0: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward, and Taylor voting 'yes'; Hunter absent).

**ASSOCIATED REQUEST:** Comprehensive Plan Amendment No. 94-61 (01R-151).

### **FINDINGS OF FACT:**

1. This annexation request and the associated Comprehensive Plan Amendment were heard at the same time before the Planning Commission.
2. The Planning staff recommendation to approve this annexation, subject to an annexation agreement, is based upon the "Analysis" as set forth on p.3-4, concluding that the annexation proposal is in conformance with the Comprehensive Plan as amended by Comprehensive Plan Amendment #94-61. Specifically, it meets the annexation policies of the plan and is within the future service limit. This area has been engulfed by the city and is generally urban in character. Even though a proposal is in conformance within the future service limit, the City should only approve an annexation when the infrastructure is in place or has been provided for in the City's CIP or by the applicant. In this case, the infrastructure issues are being addressed through the Annexation Agreement. Kawasaki, Malcolm Public Schools and Lincoln Public Schools have worked many months on the concerns about the impact on Malcolm schools. Both Malcolm and LPS have approved an agreement to address this one time impact.
3. The applicant's testimony is found on p.5.
4. There was no testimony in opposition.
5. The Planning Commission agreed with the staff recommendation.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** June 4, 2001

**REVIEWED BY:** \_\_\_\_\_

**DATE:** June 4, 2001

**REFERENCE NUMBER:** FS\CC\FSCPA9461

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

**P.A.S.** Annexation #00007

**DATE:** May 21, 2001

**PROPOSAL:** Request by Kawasaki Motors Manufacturing Corp for annexation of land and plant at 6600 Northwest 27<sup>th</sup> Street at approximately NW 27<sup>th</sup> and Highway 34.

**LEGAL DESCRIPTION:** All of Lots 29 and 30 Irregular Tract in the south half of Section 33, Township 11 North, Range 6 East; and adjacent right-of-way, all located east of the 6th P.M., Lancaster County Nebraska.

**EXISTING ZONING:** I-2 Industrial Park

**SIZE:** Lot 29, approximately 0.38 acres, more or less (owned by LES for a substation)  
Lot 30, approximately 226.81 acres, more or less (owned by Kawasaki)

**ASSOCIATED REQUEST:** Comprehensive Plan Amendment #94-61

### **UTILITIES & SERVICES:**

- A. **Sanitary Sewer:** The sanitary sewer trunk line is generally available to serve this area. An extension from the trunk line will be necessary to serve Kawasaki from the existing sewer line north of the airport runway. The existing sanitary sewer line was sized to serve Kawasaki. Kawasaki will pay for 15 inch cost of the 18 inch sewer line extension to their plant. The sewer will be extended from the current plant to Highway 34 of which City will be responsible for the oversize greater than 8 inches in size.
- B. **Water:** Kawasaki is currently served by wells and has on site water storage to fight fires. A 16 inch water main already exists in the West Fletcher Avenue ROW from NW 13<sup>th</sup> to NW 27<sup>th</sup> Street. This existing line was built in the 1980's to move water from the Arnold Heights reservoir to the Highlands area. Kawasaki will pay a \$79,560 connection fee when it taps this line. Kawasaki has agreed to build a new 16 inch water main in NW 27<sup>th</sup> from Fletcher Avenue to Highway 34 and the City will be responsible for the oversize greater than 12 inches in size.
- C. **Roads:** West Fletcher Avenue on the south side of Kawasaki is currently undeveloped. It is proposed to be identified in the Comprehensive Plan for improvement to urban standards in the future. (See Comprehensive Plan Amendment #94-61 for further details.) The Nebraska Department of Roads (NDOR) is currently underway on a Highway 34 Corridor Study. NDOR and the County have agreed to build a new half interchange at NW 27<sup>th</sup> to improve access to the plant from the east. Kawasaki and the City have agreed to the cost arrangements and future paving of NW 27<sup>th</sup> Street from Fletcher to Highway 34 and for West Fletcher Avenue from NW 13<sup>th</sup> to NW 27<sup>th</sup> Street.

Residents in the Highlands neighborhood have expressed concerns about speeding and safety issues on West Fletcher, east of NW 13<sup>th</sup> and along NW 13<sup>th</sup> Street by the Highlands pool and golf course. The Public Works and Utilities Department has proposed design funds in the CIP to work with the neighborhood to address safety issues and on how the intersection of West Fletcher and NW 13<sup>th</sup> will function after the extension of West Fletcher. The paving of NW 27<sup>th</sup> Street and West Fletcher from NW 27<sup>th</sup> to NW 20<sup>th</sup> should be completed in 2002. The extension of Fletcher from NW 13<sup>th</sup> to NW 20<sup>th</sup> is proposed for the year 2004 in order that the design and discussion with the neighborhood will have time to be completed.

- D. **Parks and Trails:** This annexation should not impact the Parks and Recreation Department. The Parks Department land (Highlands Golf Course) is adjacent to the proposed paving of Fletcher Avenue, west of NW 13<sup>th</sup> Street.
- E. **Fire Protection:** This area is in the Raymond Rural Fire District. However, Kawasaki has a contract with the Lincoln Fire Department (LFD) for all types of fire protection services. Kawasaki previously paid \$52,505 a year currently for the LFD services. The contract for 2001-2002 was for \$63,000. The Lincoln Fire Department will serve this area from the new Highlands Fire Station. Additional fire hydrants may be needed after annexation. The proposed future extension of West Fletcher Avenue from NW 13<sup>th</sup> to NW 27<sup>th</sup> will improve the response time from the fire station to the plant.

*Impact on Raymond Rural Fire District:* Kawasaki is a significant portion of the real estate and personal property tax valuation in the Raymond Rural Fire District. Raymond has expressed their concern about the impact of annexation to city staff. The City of Lincoln will be responsible for reimbursing the Raymond Rural Fire District after annexation.

- F. **Schools:** This property is in the Malcolm School District. It would be automatically transferred to the Lincoln Public School (LPS) district upon annexation.

*Impact on Malcolm School District:* Kawasaki is a significant portion of the real estate and personal property valuation in the Malcolm School District. If Kawasaki were annexed their annual property tax would be paid to LPS and no longer Malcolm. By state law, Kawasaki would continue to pay any Malcolm school bonds that were approved while Kawasaki was still in their district. The one time impact to Malcolm would be substantial. In general, after the first year, state aid would be adjusted to reduce the impact of the annexation. LPS would have a one time gain, until their state aid was reduced to reflect the increase in valuation.

Beginning in June 2000 discussions began with many interested parties on this issue. After many months of discussion, it was agreed that LPS would provide a one time reimbursement to Malcolm, if Kawasaki were annexed, with the funds from the increased valuation. LPS and Malcolm School District have approved an agreement whereby Malcolm Schools would be reimbursed for the one time loss of revenue due **if the annexation is effective by August 1, 2001**. *Thus, the timing of this annexation is of critical importance.*

## **ANALYSIS:**

1. Kawasaki Manufacturing Motors Corporation at 6600 NW 27<sup>th</sup> Street has requested annexation into the city limits. Kawasaki requested annexation in order to connect to the city water and sanitary sewer lines.
2. The Kawasaki plant is currently outside of the Future Service Limit as shown on Figure 65, page 197 of the Comprehensive Plan. It is bordered by the future service limit to the east, west and south. This land is proposed for inclusion in the future service limit in Comprehensive Plan Amendment #94-61.
3. The city limits are adjacent to Kawasaki on the east and south/

4. Kawasaki owns about 106 acres of vacant industrial land already in the city limits. These parcels are to the east and south of the Kawasaki plant. Lot 34 I. T. and Outlots A and B of Highlands Coalition are owned by Kawasaki, are zoned I-2 Industrial Park and are already inside the city limits.
5. The annexation policies on page 191 of the Plan state:
  - ! "Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.
  - ! Annexation generally implies the opportunity to access all City services (i.e., police, fire). Voluntary annexation agreements may limit or outline the phasing, timing or development of utility services (i.e., water, sewer) and may include specific or general plans for the financing of improvements to the infrastructure and the land uses of the area.
  - ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program (CIP) of the city and the county."
6. This property meets the Comprehensive Plan's policy for annexation since:
  - C it is urban in character in that this is industrial land adjacent to the urban area,
  - C it is contiguous to the city limits, and
  - C utilities are being addressed with the annexation agreement accompanying this request.
7. The City and Kawasaki have worked for more than a year to address the impact of annexation on the Malcolm School District and on all of the infrastructure and cost issues. An Annexation Agreement is being finalized between the City and Kawasaki to address the infrastructure issues..

**CONCLUSION:**

This annexation proposal is in conformance with the Comprehensive Plan as amended by Comprehensive Plan Amendment #94-61. Specifically it meets the annexation policies of the plan and is within the future service limit. This area has been engulfed by the city and is generally urban in character.

Even though a proposal is in conformance within the future service limit, the City should only approve an annexation when the infrastructure is in place or has been provided for in the City's CIP or by the applicant. In this case, the infrastructure issues are being addressed through the Annexation Agreement. Kawasaki, Malcolm Public Schools and Lincoln Public Schools have worked many months on the concerns about the impact on Malcolm schools. Both Malcolm and LPS have approved an agreement to address this one time impact.

**STAFF RECOMMENDATION:** Approval.

Prepared by:

Stephen Henrichsen  
Planning Department

**COMPREHENSIVE PLAN AMENDMENT NO. 94-61**  
**and**  
**ANNEXATION NO. 00007**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 30, 2001

Members present: Krieser, Carlson, Taylor, Duvall, Newman, Schwinn, Steward and Bayer; Hunter absent.

Planning staff recommendation: Approval of the Comprehensive Plan Amendment and approval of the annexation, subject to an annexation agreement.

Proponents

**1. Stephen Henrichsen and Peter Katt** presented the application. Katt stated that he has been the representative of Kawasaki for a number of years and they are excited to become a part of this city. The two specific agenda items relate to the Comprehensive Plan Amendment, which will revise this area of our community and how it is available for urban level development, and the other is the Annexation Agreement, the terms of which have been negotiated over the last 4-5 months and we have reached final agreement. Katt believes the staff report is self-explanatory. There are open issues that remain to be addressed. Of most importance is accommodating the incorporation of the road network and that will need to involve the neighborhood association. They have had one meeting with the Highlands Neighborhood Association.

There was no testimony in opposition.

Public hearing was closed.

**COMPREHENSIVE PLAN AMENDMENT NO. 94-61**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 30, 2001

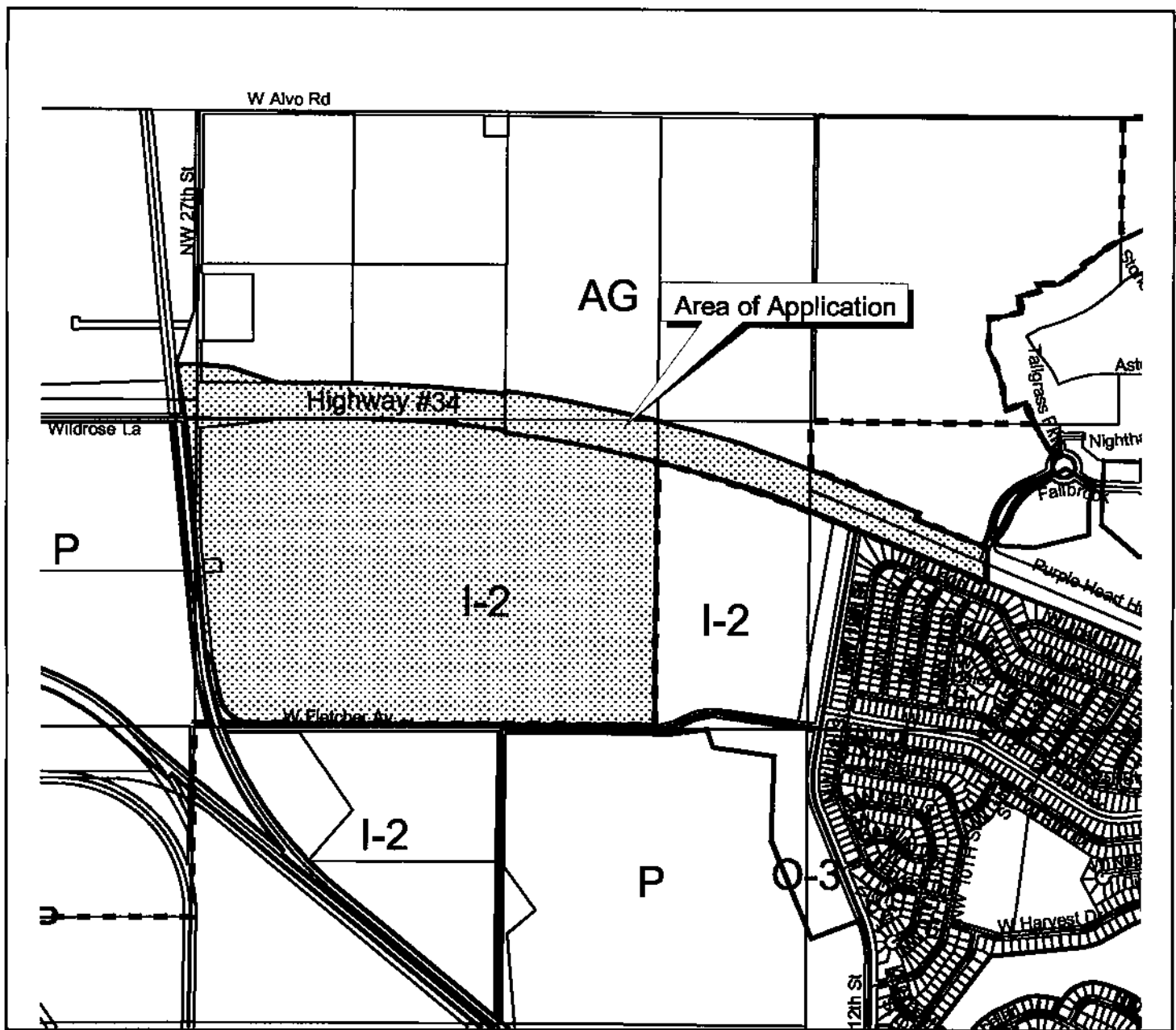
Duvall moved approval, seconded by Carlson and carried 8-0: Krieser, Carlson, Taylor, Duvall, Newman, Schwinn, Steward and Bayer voting 'yes'; Hunter absent.

**ANNEXATION NO. 00007**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 30, 2001

Duvall made a motion for approval, seconded by Krieser and carried 8-0: Krieser, Carlson, Taylor, Duvall, Newman, Schwinn, Steward and Bayer voting 'yes'; Hunter absent.



## Annexation #00007 NW 27th and W. Fletcher Ave.

### Zoning:

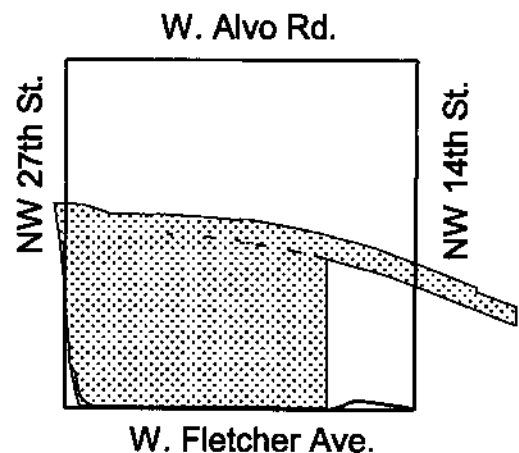
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 33 T11N R6E



Zoning Jurisdiction Lines

City Limit Jurisdiction



006



**Annexation #00007**  
**NW 27th and W. Fletcher Ave.**



Sheet \_\_\_\_\_ of \_\_\_\_\_

Date: \_\_\_\_\_

Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

October 24, 2000

The Honorable Don Wesely  
Mayor of Lincoln  
County/City Building  
555 South 20<sup>th</sup> Street  
Lincoln, NE 68508

Dear Mayor Wesely:

On behalf of Kawasaki Motors Manufacturing Corp., U.S.A. we request annexation of our property at 6600 Northwest 27<sup>th</sup> Street.

As we have discussed on many occasions in the past, Kawasaki is interested in receiving city sanitary sewer and water service. We have been working together on providing water and sewer as well as discussing road improvements in the vicinity. It is our understanding that these issues will be addressed in an annexation agreement that we would develop together prior to annexation. It is also our understanding that the City will time the annexation to minimize the impact on the Malcolm Public School District as much as possible.

The legal description of the property is Lot 30 Irregular Tract in Section 33, Township 11 North, Range 6 East, Lancaster County, Nebraska.

Sincerely,



Shin-ichi Tamba  
President

ST/sh